

R277. Education, Administration.

R277-532. Local Board Policies for Evaluation of Non-Licensed Public Education Employees (Classified Employees).

R277-532-[2]1. Authority and Purpose.

[A-](1) This [R]rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board[;]; ~~[by Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities, and by]~~

(b) Section 53A-1-401, which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53A-8a-301, which directs the Board to develop rules requiring that school districts evaluate non-licensed public education employees.

[B-](2) The purpose of this rule is to direct public school districts to adopt policies for the evaluation, dismissal and compensation of non-licensed public education employees. ~~[that satisfy the minimum standards of Sections 53A-8a-301 and 302, 53A-8a-501 through 506, and 53A-8a-601. The school district evaluation policies for non-licensed public education employees shall be consistent with Section 53A-8a-301 and in place no later than the 2014-2015 school year.]~~

R277-532-[4]2. Definitions.

[A. "Board" means the Utah State Board of Education.]

[B-] "Non-licensed public education employee" or "classified employee" means a school district employee who is working ~~[for a public education employer]~~ in a position that does not require a Utah educator license. ~~[School districts typically refer to non-licensed public education employees as classified employees.]~~

R277-532-3. School District Policies.

[A-](1) A [S]school district[s] shall adopt policies for non-licensed public education employees, including:

(a) policies for evaluation and dismissal consistent with minimum standards of:

(i) Sections 53A-8a-301 ~~[and]~~ through 53A-8a-302; and

(ii) Sections 53A-8a-501 through 53A-8a-506; and

(b) policies for due process and the termination of non-licensed public education employees consistent with Sections 53a-8a-501 through 53A-8a-504[-];

~~[B. School district non-licensed public education employee evaluation policies shall]~~

(c) evaluation procedures ~~[include]~~ with the following components:

(~~[1]~~)i) the annual evaluation of non-licensed public education employees;

(~~[2]~~)ii) the use of appropriate tools for non-licensed public education employee evaluations;

(~~[3]~~)iii) non-licensed public education employee evaluation criteria tied to specific non-licensed job descriptions or assignments;

(~~[4]~~)iv) the administration of the evaluation by the school principal, an appropriate administrator or the principal's or administrator's designee; and

(~~[5]~~)v) an appeals process that allows non-licensed public education employees to appeal procedural violations of the evaluation process.

~~[C.](2)~~ School district evaluation policies for non-licensed public education employees may include additional components beyond those specified in Subsection (1).

~~[D. School district non-licensed public education employee termination policies shall be developed as directed in Section 53A-8a-501 through 506.~~

~~——— E. School district non-licensed public education employee termination policies shall be consistent with Sections 53A-8a-501 through 504 and may include other components as determined locally.]~~

~~[F.](3)~~ A ~~[S]~~school district's policies may exclude temporary or part-time non-licensed public education employees from performance evaluations, as provided in Subsection 53A-8a-301(2)(~~a~~).

~~[G. School districts shall fully implement evaluation policies for non-licensed public education employees that include components of Section 53A-8a-601(2) no later than the 2016-2017 school year.]~~

KEY: policies, evaluations, non-licensed; public education employee

58 **Date of Enactment or Last Substantive Amendment: [~~October 9, 2014~~] 2018**

59 **Notice of Continuation: 2018**

60 **Authorizing, and Implemented, or Interpreted Law: Art X, Sec 3; 53A-1-401(3); 53A-**
61 **8a-301**